

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JIMMIE JAMES NORMAN, JR.,)
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Plaintiff,)
)
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v.) No. 4:08CV1695 AGF
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MARTEN TRANSPORT, LTD., et al.,)
)
)
Defendants.)

INITIAL CASE MANAGEMENT ORDER

This cause is before the Court upon review of the Joint Proposed Scheduling Plan of plaintiff Jimmie James Norman, Jr., and defendant Marten Transport, Ltd. (Doc. #22.) Counsel for Plaintiff and Defendant Norman participated in a Rule 16 Conference before the undersigned United States Magistrate Judge, in accordance with the Court's Order of May 1, 2009. (Doc. #21.)

Defendant Richard J. Haight ("Haight") is currently under active military duty stationed in Iraq, and is expected to return from active duty in or around October 2009. In light of defendant Haight's absence due to military service, the Court determined to stay this action except for the limited purpose of conducting discovery between Plaintiff and defendant Marten Transport ("Marten Transport"). (Doc. #20.) Upon review of Plaintiff and Marten Transport's proposed scheduling plan governing discovery, and upon conferring with counsel, the Court determines it appropriate for said parties to proceed with discovery between them to the extent such discovery is not dependent upon defendant Haight's

presence and does not prejudice Haight's rights in his absence. With this understanding, the Court will not enter a formal Case Management Order at this time.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff and defendant Marten Transport shall continue to conduct discovery between them to the extent such discovery is not dependent upon defendant Haight's presence and does not prejudice defendant Haight's rights in his absence.

A separate Order Setting Rule 16 Conference will be entered in this cause upon notice of defendant Haight's termination of or release from military service and the lifting of the stay presently imposed.



AUDREY G. FLEISSIG
UNITED STATES MAGISTRATE JUDGE

Dated this 26th of May, 2009.